AMENDMENTS TO THE CLAIMS

Please add or amend the claims to read as follows, and cancel without prejudice or disclaimer to resubmission in a divisional or continuation application claims indicated as cancelled:

1. (Amended) Apparatus for decreasing pressure in a first ~~portion~~ **chamber** ~~of a vessel of the cardiac structure~~ of a heart, **the apparatus** comprising[:] a shunt ~~communicating with an area outside said first portion, whereby a volume of blood sufficient to reduce pressure in said first portion is released~~, **said shunt including a fixation element, shunt tube element, and valve element, said valve element adapted to enable selectively permitting blood flow between the first chamber and a second chamber of a heart at a selected pressure threshold.**

2. (Amended) The apparatus of claim 1, wherein ~~the first portion comprises the left ventricle, wherein~~ said shunt communicates with the left ventricle~~, whereby~~ **to enable** a ~~small~~ volume of blood [is] **to be** released from the left ventricle to ~~reduce~~ **maintain** the end diastolic pressure **in the left ventricle at 15 mmHg or less**.

3. (Cancelled)

4. (Amended) The apparatus of claim [2]**1**, wherein ~~the shunt comprises~~ **said valve is** a passive check-valve that **is adapted to** allow[s] flow when a pressure differential between the ~~left ventricle~~ **the first chamber** and **said second** chamber of a heart is between a lower threshold and a higher threshold, whereby shunting is prevented during left ventricular systole.

5. (Amended) The apparatus of claim [2]**1**, wherein ~~the shunt comprises~~ **said valve is** a semi-passive check-valve **that is adapted to be** ~~comprising a valve~~ activated by an external signal.

6. (Amended) The apparatus of claim 5, ~~wherein~~ **comprising** an intra-corporeal electrical battery **adapted to** generate[s] said **external** signal.

7. (Amended) The apparatus of claim 5, ~~wherein~~ **comprising** ~~signal is generated by~~ an externally coupled energy source **adapted to generate said external signal**.

8. (Amended) The apparatus of claim [2]**1**, ~~further~~ comprising a **pump, said** pump **adapted to be** in fluid communication with the shunt and having an input connected to the ~~left ventricle~~ **first chamber** and an output connected to a volume of **blood at a** lower pressure.

9. (Amended) The apparatus of claim [2]**1**, ~~comprising a~~ **wherein said** tubular element ~~having~~ **includes** two ends and a tissue [af]fixation element disposed at each of said ends.

10. (Amended) The apparatus of claim [8]**1**, wherein said tubular element is comprised of a biologically inert non-metallic material.

11. (Amended) A method of decreasing pressure in a first ~~portion~~ **chamber** of a vessel of ~~the~~ **a heart** ~~cardiac structure of a patient~~, **the method** comprising ~~the step of~~ implanting a shunt **adapted to** communicate~~ing~~ with ~~an area~~ **a second chamber** outside ~~said~~ **the** first ~~portion~~**chamber**, whereby a volume of blood sufficient to reduce pressure in ~~said~~ **the** first ~~portion~~**chamber**, **when said pressure reaches a selected threshold,** is released **from the first chamber to said second chamber**.

12. (Amended) The method of claim 11, **comprising** ~~wherein the first portion comprises the left ventricle and said pressure is the end diastolic pressure in a patient heart, wherein said shunt communicates with the left ventricle, whereby a small volume of blood is released~~ **releasing blood** from ~~the left ventricle~~ **the first chamber to said second chamber** to ~~reduce~~ **maintain** the end diastolic pressure **in the first chamber at 15 mmHg or less.**

13. (Amended) The method of claim 12, further comprising ~~the step of~~ selectively permitting flow when a **selected** pressure differential **exists** between the ~~left ventricle~~ **first chamber** and **said second**~~another~~ chamber of a **said** heart ~~above a threshold pressure, whereby shunting is prevented during left ventricular systole~~.

14. (Amended) The method of claim 12, further comprising ~~the step of~~ selectively permitting flow when a pressure differential between the ~~left ventricle~~ **first chamber** and ~~another~~**said second** chamber of [a] **said** heart is between a lower threshold and a higher threshold~~, whereby shunting is prevented during left ventricular systole~~.

15. (Amended) The method of claim 12, ~~further~~ comprising ~~the step of~~ actuating a semi-passive check-valve by an external signal.

16. (Amended) The method of claim 15, ~~further~~ comprising ~~the step of~~ generating said signal ~~with~~ **using** an intra-corporeal electrical battery.

17. (Amended) The method of claim 15, ~~further~~ comprising ~~the step of~~ generating said signal ~~with~~ **using** an externally coupled energy source.

18. (Amended) The method of claim 12, ~~further~~ comprising ~~the step of~~ activating a pump in fluid communication with the shunt**, said pump** ~~and~~ having an input connected to the ~~left ventricle~~ **first chamber** and an output connected to a volume of lower pressure **blood**.

19. (Amended) The method of claim 12, further comprising ~~the step of~~ implanting said shunt **using a catheter**, said implanting ~~step comprising the step of~~ **including** deploying a tubular element having two ends and a tissue [af]fixation element disposed at each of said ends ~~via a catheter~~.

20. (Amended) The method of claim 19, ~~wherein said tissue fixation element is a shape retaining metallic material and further~~ comprising ~~the step of~~ releasing ~~the~~ **at least one said** tissue fixation element[s].

21. (New) The method of claim 19, wherein said tissue fixation element is a shape retaining metallic material.

22. (New) The apparatus of claim 1, wherein said shunt tube further comprises a flat pivoting plate.

23. (New) The apparatus of claim 8, wherein said pump is capable of moving blood from a chamber exhibiting at least 20 mmHg in diastole to at least 70 mmHg or more in the aorta.

24. (New) The apparatus of claim 8, wherein said pump is capable of moving blood from the left ventricle to the right atrium during diastole and systole.

25. (New) The apparatus of claim 8, wherein said shunt is to prevent blood flow from the left ventricle during left ventricular systole.

26. (New) The apparatus of claim 1, wherein the first portion comprises the left ventricle, wherein said shunt communicates with the left ventricle, whereby a volume of blood is released from the left ventricle to reduce the left ventricle pressure by 5 mmHg.

27. (New) The apparatus of claim 1, wherein the first portion comprises the left atrium, wherein said shunt communicates with the left atrium, whereby a volume of blood is released from the left atrium to reduce the left atrium pressure by 5 mmHg.

28. (New) The method of claim 11, wherein said volume of blood is sufficient to reduce the left ventricle pressure by 5 mmHg.

29. (New) The method of claim 11, wherein said volume of blood is sufficient to reduce the left atrium pressure by 5 mmHg.

30. (New) The method of claim 11, wherein if left ventricle end distolic pressure exceeds 25 mmHg and/or mean left ventricle pressure exceeds 20 mmHg, removing sufficient blood from said left ventricle to reduce left ventricle pressure by 5 mmHg.

31. (New) The method of claim 11, wherein if left atrium end distolic pressure exceeds 25 mmHg and/or mean left atrium pressure exceeds 20 mmHg, removing sufficient blood from said left atrium to reduce left atrium pressure by 5 mmHg.